FILED
08 MAY -5 AM 11:50

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Candido REYES-Coronado,** Defendant	Magistrate Docket No. '08 MJ 1415 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **May 3, 2008** within the Southern District of California, defendant, **Candido REYES-Coronado,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Terri L. Dimolios
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **5th** DAY OF **May, 2008**

Louisa S. Porter
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Candido REYES-Coronado

PROBABLE CAUSE STATEMENT

On May 3, 2008, Border Patrol Agent D. Millet, was assigned to assist United States Customs and Border Protection officers with Operation Re-Load at the San Ysidro Port of Entry. Operation Re-Load was an operation to conduct southbound inspections of random individuals for customs violations before leaving the United States. Agent Millet was assigned to the area known as "Whiskey 2". "Whiskey 2" is immediately adjacent to the San Ysidro, California Port of Entry to the west and approximately thirty yards north of the United States/Mexico International Border. At approximately 11:45 A.M., Agent Millet observed one individual walking south from "Whiskey 2" towards the United States-Mexico border. Agent Millet approached the individual and identified himself as a Border Patrol Agent. Agent Millet attempted to perform a customs inspection and at which time he learned that the individual did not speak English. Agent Millet asked the individual in the Spanish language if he had identification and he stated that he did not have any identification documents. At this time the individual appeared to become nervous and refrained from making eye contact with him. Agent Millet then performed an immigration inspection on the individual. He identified himself as **Candido REYES-Coronado**. The defendant freely admitted to being a citizen and national of Mexico without any immigration documents that would allow him to legally enter or remain in the United States. At that time, Agent Millet arrested the defendant and made arrangements to have him transported to the Imperial Beach Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **October 26, 2006** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights. He stated he understood and was willing to answer questions without an attorney present. The defendant admitted that he was a citizen and national of Mexico not in possession of documents enabling/permitting him to enter and/or remain in the United States legally. He further stated that he had not requested permission from the Attorney General to re-enter the United States.